> Evergreen oaks, which are tolerant of greater aridity, persist,—although at wider intervals than in tree maquis—but tall shrubs are much less common, and a low scrub of dwarf bushes and thorns take their place. Because of the more open nature of this vegetation, which rarely exceeds 3 feet in height, perennial plants can develop, and for some weeks after the spring rains, a carpet of flowers and bulbs makes a striking display. Garrigue is often discontinuous, with bare patches of soil and rock interspersed with plants. (Fisher, 1950, p. 71.) 137

Mammalian fauna are very sparse indeed; as a matter of fact, so far as the writer knows, there is virtually none. Snakes, however, are fairly numerous, are all regarded as being poisonous, and are killed on sight. Small lizards, spiders, six-inch centipedes, snails, scorpions, and large, wood-eating beetles are prominent among the other creatures which were observed. Birds are few, probably because those which venture into the district are generally shot, even if they are as small as sparrows. Flies are numerous, and there are some mosquitoes. 136

THE DISTRICT OF AL-QURNI

Now that its physical characteristics have been described, the question arises, On what basis can al-Qurni be considered to be a distinct district? The name, according to several informants, means "corner," and it is the impression of the writer that it is used primarily only by the inhabitants of the district itself. True, in terms of terrain, it has two features which set it apart from the land immediately surrounding it. It rises particularly steeply and suddenly from the sea; and from the south, say from the hamlet of el-Burj, the ridge upon which [illegible] and [illegible] are built looms up definitely higher than the nearby land, from which it is separated by an arroyo, the Wadi [illegible]. These distinctions are, however, rather minor, and, as far as is known, the people themselves do not perceive them. Within al-Qurni there is little of a physical nature to account for its being set apart as a unit. The land is sharply rolling, and the terrain consists, essentially, of three ridges which run roughly at right angles to the shore line. Upon the longest and highest of these, the three northern villages are built. Shaykhan and Munsif are on the second, middle one; and the third has been commented upon above. Such features are typical of most of the coastal zone from Juni to Tripoli. 103 133 133 361

Al-Qurni is not a political entity. It is simply a locality in Kisrawan, one of several districts in the Province of Mount Lebanon which is one of the five provinces into which the Republic is divided. Al-Qurni does contain six political units, each with its elected mayor and council, as well as its own church. These are the villages of [illegible], [illegible], Shaykhan, Munsif, [illegible], and [illegible]. Lower [illegible] is merely an adjunct of the village proper. For political purposes, [illegible] is part of [illegible]. [illegible] and [illegible] belong to Munsif. [illegible] is part of [illegible]. For other than political purposes, the people consider themselves to be seven, rather than six, villages, separating [illegible] from [illegible]. Of the seven, 631 632

632 Munsif is by far the largest, being at least twice as large as Jiddayil which is the second in size.

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[194] *Al-Qurnī* is a unit because its inhabitants consider it to be one. Within it, the individual villages regard themselves as independent, and the people even recognize minor cultural differences. For example, it was said that the phoneme -a- is pronounced slightly differently in Barbara, Munsif, and Jiddayil; that the people of one of the villages always marry people from the other villages rather than their own; that the women of one of the villages are more quarrelsome than those of another; and so on. Yet, in relation to the outside, al-Qurnī is a unit. Why? It is not because of close proximity, although of course this helps. The reason is that, with minor exceptions concentrated in Jiddayil, al-Qurnī is exclusively Greek Orthodox in religion and is completely surrounded, in depth, by Maronite (technically Roman Catholic) villages. In 1921, Kisrawan had a resident population of 41,064, plus an emigrant population of 14,290. Of the residents, 34,305 were Maronites, 2,039 were Mitwalis (Shi'a Muslims), and 3,810 were Greek Orthodox (all figures from Himadeh, 1936, pp. 410-41). Virtually all of the last must have been counted in al-Qurnī.

It has not been possible to go very far into this study without encountering the phenomenon of units of loyalty and identification. Since this topic will occupy an increasingly important position as we proceed, nothing more will be said about it at this point, except this: Beyond, and except for, kinship and local connections, sectarian affiliation in the Middle East is the strongest bond which can unite a group of people and the most impenetrable barrier which can separate one group from another.

FROM BEIRUT TO MUNSIF

000 Placed in its physical and cultural context, let us now turn to the village of al-Munsif itself. It might be asked why a community of farmers should settle in such an unfavorable environment in the first place. A tentative answer to this question will be presented in the chapter, "The Patterns of Culture Change." It might also be asked why, once established, such a community should grow greatly in size and continue to function even through periods of great economic difficulty. This is an easy question to ask. The remainder of this work is, essentially, an attempt to answer it.

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361 Let us, now, in imagination, go to Munsif by automobile from Beirut. The trip will take perhaps an hour and a quarter.

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245 Between Beirut and the mouth of the Dog River the road is lined, for the most part, with banana and citrus plantations, and lush stands of tall reeds. Beyond the river, however, the citrus plantations cease, but the banana plantations continue. We notice that water is brought to them in open cement conduits. On the upper slopes to our right, we pass innumerable small villages and their olive and fig orchards.

872 Since 1946, public school students have had the option of taking French or English (Ibid., p. 420), and in Munsif English is the universal choice.

The national school follows more or less the same pattern, at the same and also more advanced levels, but of course the master is free to choose his own texts and to present his courses as he chooses. The one in Munsif is very much concerned with having up-to-date books (American and English), and holds his plant and students up to strict hygienic standards. The school has a modern toilet, and the drinking water is filtered.

THE "SPORT CLUB"

[illegible] The building which houses the government school is also the center of the Sport Club which was founded by the young people of the village about 1936.

[illegible] The building has a large central room in which there is a stage and four or five tables for playing cards and other games. There are four side-rooms, one of which has a shelf of books and pamphlets and is the headquarters of the club. The other three are schoolrooms, equipped with small wooden desks for the students and blackboards. The large room is used as an everyday meeting place for the [illegible] adolescents and young adults. It is also used for the annual play. So far, it appears that though the club itself is new, it has focused already existing activities, such as the plays and volleyball games, but has not initiated any new kinds of activity. It is active as a unit only in the summer when there are many older students and young adults in the village on vacation, and if causes may be attributed, it can be said that the primary cause of the club's coming into existence is the need of idle vacationers to organize their activities. There was no need for this before the beginning of the recent changes in the culture.

VILLAGE GOVERNMENT

[illegible] The village government consists of a mayor (*mukhtar*) and a four-man council of elders (*'aḍā' ikhtiyāriyyeh*). All five men serve concurrently for a term of four years. They are elected by the men of the village who have attained the age of twenty-one. The present mayor (C.XXI) has held the office for about twelve years. The tenure of his predecessor (B.XX), who was his father-in-law, extended back to about 1930.

[illegible] The present municipal statutes of Lebanon define three types of community. Beirut is in a class by itself. There follow one hundred and twenty "incorporated" towns. The remainder, about 1300, of which Munsif is one, are classed as "unincorporated" villages. The unincorporated villages are governed according to the *Loi des Mukhtars* of 1928 (Grabau, 1952, p. 1). Before 1928, the unincorporated villages were governed under the provisions of the Ottoman Vilayet Law of 1864 which, at the local level, was originally a formalization of the traditional pattern of government by a council of heads of households, one of whom was chosen as *sheikh*.

Incorporation and Delimitation

Under the new code any town of at least 500 inhabitants may, upon the demand of one third of its qualified electors, be incorporated as a municipality provided its population includes persons eligible as councilmen double the number actually to be elected, and further provided that within ninety days of its incorporation it can present a budget showing at least 250 Syrian pounds of effective municipal resources. By exception, existing municipalities of less than 500 inhabitants may be maintained and others incorporated provided they fulfill the budgetary provisions cited above. These financial limitations seem to have been rigorously enforced with three or four municipalities suppressed recently for failure to conform.

Small neighboring villages with common interests and a combined population of more than 500 persons may be incorporated as a single municipality if they are less than two and a half kilometers apart and if that union is demanded by one third of the qualified electors of each village voting separately. The enabling decree determines which village shall serve as the seat of government thereby giving its name to the municipality as a whole.

In cases of joint incorporation the distinct communities retain the ownership of the property pertaining to them and to the income from such property collected in kind. The buildings and other real estate serving a public usage prior to incorporation becomes the property of the new municipality of which it becomes a part, but in case of separation from the municipality the seceding section takes back full ownership of the property which came with it. The decree of union or of dissolution determines all other special conditions. These provisions apply to all cases of joint incorporation (or of dissolution) even though only a quarter or section of the municipality is concerned in the change.

If a change of status affects the territorial limits of one or more

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[illegible]

[illegible]

kaza's, the administrative commissions of each must be consulted.[1] In case of any proposed change of municipal status, the Administrator must order a special [illegible] inquiry into the facts in the municipalities concerned if demanded by any municipal council involved or by one third of the electors of the same. He may likewise act upon his own initiative. The decision is by executive decree of the President of the Republic after study of the dossier of inquiry and the recommendations of the administrative commission of the kaza.[2]

In all cases of change of municipal status the pre-existing municipal councils are automatically dissolved and a new election is held.[3]

The territory of the municipality is limited to urban agglomerations in which the break in continuity between the community proper and scattered hamlets or houses is not more than 200 meters, except as otherwise provided in the case of joint incorporation.[4] The delimitation of municipal boundaries is executed by the Department of Public Works at the expense of the municipalities concerned. They are proclaimed by executive decree after advice from the municipal council and the Administrative Commission of the District. A change of name of a municipality is decreed in the same manner.[5]

Composition of Municipal Councils

Every municipality is governed by an elective municipal council which varies in size in accordance with the following table:—

5	councilors	in	towns	up to		500	population	
6	"	"	"	from	501	to	2000	population
7	"	"	"	"	2001	to	5000	"
8	"	"	"	"	5001	to	20000	"
9	"	"	"	"	20001	to	40000	"
10	"	"	"	"	40001	to	60000	"
11	"	"	"	"	60001	to	100000	"
12	"	"	"	"	100001	or	above[6]	"

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[1] Ibid., Art. 4. Each kaza has an administrative commission of six members, two of whom are appointed by the Administration; the rest are elected by an electoral college composed of the mukhtars and the members of the municipal councils of the kaza. The kaimakam and secretary of the kaza are ex officio members.

[2] Ibid., Art. 5.

[3] Ibid., Art. 48.

[4] Ibid., Art. 3.

[5] Decree No. [illegible], loc. cit., Arts. 3 and 4.

[6] Ibid., Art. 10.

[illegible] Where there is a refugee population of Armenians, they are entitled to representation on the council by the addition of members over and above the regular number in proportion to their relative numerical importance in the community.[1]

[illegible] The councils are elected for a term of four years and are renewed as a unit. Municipal elections take place on the third Sunday of May in electoral years.[2]

Basis of Representation

Proportional religious representation is secured by the apportionment of the council seats among the various religious sects in conformity with their relative numerical strength in the electoral list.[3] Thus it is a fixed ratio based on potential voting strength rather than population figures. The allocation of seats is made by decree of the administrative subject to the approval of the Minister of the Interior. All electors vote for all the positions to be filled in their ward or municipality so that the votes of a majority sect may determine the choice of representatives for minority sects. One seat is reserved for minority sects having at least half but less than a whole electoral quotient. The allocation of seats is effected by the "list system" of proportional representation, the method being applied to registration rather than voting figures.

[illegible] Qualifications for membership in the municipal councils are the same as for a seat in the national assembly as determined by Arrêté No. 1307 of March 10, 1922.[4] Candidates must be Lebanese citizens, at least twenty-five years of age, literate, and in the enjoyment of full civil and political rights.[5] Aside from the general restrictions of the electoral law, the municipal law of 1922 expressly disqualifies the following —

1. Those deprived of their franchise.
2. Persons under tutelage or supervision of judicial council.
3. Poor or exempted from municipal taxes or aided by any charitable organization.

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[1] [illegible]

[2] [illegible]

[3] [illegible]

[4] [illegible]

[5] [illegible]

[illegible]

4. Persons failing for two consecutive years to pay state [illegible] or municipal taxes.

5. [illegible] attached exclusively to the person?[1]

Likewise, any functionary of either the state or the municipality may not hold office as municipal councilman within the area under his own jurisdiction or in the municipality in which he is employed.[2]

No one may sit in a municipal council and at the same time hold office as administrator, [illegible], or official of either the [illegible] or public services. A successful candidate for municipal councilman who holds one of these positions is given the option of either position but must render his decision within ten days of the proclamation of the results of the election, failing which, he is automatically considered resigned from his administrative post.[3] Likewise, no one may sit in more than one municipal council at a time. In municipalities of more than 500 inhabitants, father and son, father-in-law and son-in-law, and brothers or brothers-in-law may not sit in the same council. If there is no voluntary withdrawal on the part of one of the candidates, the administrator shall declare the younger resigned, or in case of equal age the matter is settled by the drawing of lots at the first meeting of the council.[4] Any councilman who, after his election, is discovered to be ineligible is immediately declared resigned by the administrator. Any councilman charged with a crime or misdemeanor is suspended in the same manner pending decision as to his guilt,[5] but may appeal to the administrative courts.[6]

Dissolution and Suspension

A municipal council may be dissolved by executive decree. In case of urgency, it may be suspended by the administrator for a period of one month. The suspension may be twice renewed by authorization of the Minister of the Interior. In such cases the [illegible] or some other administrative official is charged with the administration of the municipality.[1] In cases of dissolution or collective resignation a special delegation is named by the President of the Republic, who likewise appoints its president and vice-president, if any. The delegation consists from three to seven members depending upon the importance of the municipality. The duration of such a delegation may not exceed one year. It exercises all the powers of a municipal council but is automatically dissolved when a council is reconstituted.[2]

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[1] [illegible] No. [illegible], art. [illegible].

[2] Ibid., Art. [illegible]. [illegible]

[3] Ibid., Art. [illegible].

[4] [illegible] No. [illegible], art. [illegible].

[5] Ibid., Art. [illegible].

[6] Ibid., Art. [illegible].

[illegible]

Electoral Procedure

Municipal electoral procedure and qualifications are regulated by the national electoral law, Arrêté No. 1307 of March 10, 1922, except that residence requirements are interpreted entirely in terms of municipal residence. Suffrage qualifications are the same as for national elections. The electorate consists of all male citizens 21 years of age having their real and principal establishment within the municipality where they must have resided for at least six months. Likewise, they must have conformed with the national census law of March 8, 1921. Absence because of status as [illegible] of a recognized cult, as public functionary, or as soldier of the Syrian Legion, Lebanese Gendarmerie, or French Army, does not disqualify.[3] The following categories are disqualified for the suffrage:—

1. Individuals deprived of their civil rights.
2. Individuals permanently deprived from holding public office.

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[1] Ibid., Art. 41.

[2] Arrêté No. [illegible] [illegible]

[3] [illegible]

[illegible]

3. Individuals condemned for a crime or infamous offense involving a correctional penalty. Considered as infamous are theft, swindling, abuse of confidence, public outrage of decency, habitual excitation of minors to debauchery, vagabondage, and simple bankruptcy. [illegible]

4. Individuals condemned to imprisonment for crimes.

5. Individuals under judicial interdiction.

6. Insolvents not condemned for bankruptcy. Disqualification for this category holds for three years from declaration of insolvency.

7. Individuals condemned to imprisonment or more severe sentences for any violation of the electoral laws.[1]

A list of qualified voters known as the "electoral list" is drawn up by an appointed Registration Commission[2] and is revised annually from supplementary lists furnished by the [illegible] and [illegible] of municipalities. Upon the publication of this list ten days are allowed for the presentation of claims of error which are decided by the Registration Commission with right of appeal only on points of law. No one may be inscribed on the electoral list of more than one voting district. To avoid duplicate registration through error the elector may choose which residence he desires to establish provided he fulfills the qualifications before the final closing of the electoral lists. All demands for such changes must be accompanied by a demand for the removal of the name from the former list.[3] [illegible]

The elections are convoked by decree of the President of the Republic issued at least fifteen days before the elections. In no case may the elections last more than seven days. Balloting always commences on a Sunday but may run for several consecutive days. The number of days, place, and time of voting are decreed by the administration.[4] The polls must remain open at least six consecutive hours in municipalities of more than 500 inhabitants or, in case of a single day and bureau of voting, at least nine consecutive hours. If a second balloting is necessary, the electors are automatically convoked for the following Sunday and each succeeding [illegible] as provided in the original decree of convocation. The administration is responsible for the publication of the necessary notices.[5]

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[1] [illegible]

[2] [illegible]

[3] [illegible]

[4] [illegible]

[5] [illegible]

[illegible]

tellers, and at least half of the assessors must be present throughout all the electoral operations. This electoral board or voting bureau has also provisional jurisdiction over all questions arising out of the conduct of the elections. All claims and decisions must be recorded together with the reasons motivating the judgments.[1]

The bureau secretary is provided with an official copy of the electoral list. No one may vote whose name does not appear upon this list except such persons as may present a decision of the Registration Commission issued subsequently to the preparation of the list.[2] The voting of each elector is attested on the official list by the signature or initials of the secretary opposite the name of the elector.[3]

The ballot box has a single opening for the admission of the ballots. At the opening of the polls the box is closed and locked with two locks one key being retained by the bureau president, the other by the oldest of the assessors chosen by the electors.[4] Each voter presents his official certificate of identity (carte d'identité) to the secretary who checks his name against the electoral list. The reverse of the identity paper is then stamped with an indication of the province and the date. The secretary then announces the voter's name and the latter presents his folded ballot to the bureau president who deposits it in the ballot box. No official ballots are provided, the voter writing his own ballot on any piece of white paper. Ballots may be prepared by a candidate or groups of candidates and distributed outside the polls. The only restrictions are that they must not be on colored paper or have any other external distinctive marks.[5]

Upon the closing of the polls the count is made by the bureau officers unless the number of ballots is more than three hundred. If this be the case a number of tellers may be appointed from among the literate electors present who shall be distributed at counting tables having at least four tellers each. If various candidates or

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[1] Ibid., Art. [illegible]

[2] Ibid., Art. [illegible]

[3] Ibid., Art. [illegible]

[4] [illegible]

[5] Ibid., Art. [illegible]

[illegible] lists of candidates have been presented they have the right to designate the additional tellers who shall then be distributed equally among the tables as far as possible. Upon the opening of the ballot box the total number of ballots is ascertained and checked against the official list. If the total is more or less than the votes recorded on the list, a minute is made to this effect. The bureau president then distributes the ballots to the different counting tables. One of the tellers reads each ballot in a loud voice, then passing it to another teller. The vote is recorded on specially prepared counting sheets. The electors are entitled to be present at the count and to circulate about the tables. If they challenge any of the proceedings, the bureau president and his assistants inspect the operations.

Blank ballots, those not bearing sufficient designation as to which the voter may be known, those of coloured paper or bearing any external mark of identification, and those bearing any remarks injurious to the candidates or the people are not included in the count but are attached to the procès-verbal. Also excluded are any votes for candidates who have failed to comply with the regulations governing declarations of candidature.

Immediately after the count the result is announced by the bureau president, and the ballots, other than those attached to the procès-verbal, are burned in the presence of the electors. Where more than one voting precinct exists within an electoral circumscription, the proclamation of the result is made by the president of the central bureau to whom the various other bureau presidents must bring the procès-verbal with attached ballots and the official check list. A summary procès-verbal is prepared at the central bureau and forwarded to the Ministry of the Interior and to the Registration Commission. Definitive announcement of the results is made by the Registration Commission after checking the returns. The

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[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

electoral operations may be challenged by any elector or any candidate. The appeal must be presented at the office of the administrator within five days of the balloting. A receipt must be given therefor. This appeal is transmitted with the opinion of the administrator to the Ministry of the Interior for submission to the Council of State. A decision, from which no appeal lies, must be rendered within one month. If the President of the Republic finds that the conditions and forms prescribed by the electoral law have not been complied with he must denounce the elections to the Council of State within one month of the elections.[1]

Organization and Procedure of Council.

A municipal council may adopt fixed dates for its meetings or it may meet merely on call of its president or mayor.[2] In either case the summons must state the order of the day and the subjects for discussion. The council may concern itself only with those topics cited in the docket. Calling of a meeting is mandatory upon the written request of the administrator or of one third of the members of the council.[3]

A written summons must be addressed to each councillor at least three days before the scheduled meeting. In cases of urgency, this period may be reduced to twenty-four hours in which case the council decides at the opening of the meeting whether the matter at hand is sufficiently urgent to warrant such a summons. Further, in such cases, the administrator may upon his own initiative or upon the request of a councillor require a second deliberation upon the same subject. Two copies of the summons, the schedule of meetings and the order of the day must be transmitted to the [illegible] who forwards one to the administrator. They must likewise be recorded in the council minutes under penalty of nullification.[4]

The mayor and assistant mayors, if any, are appointed by the central authorities from among the council members. The other members rank in accordance with the date of their election, or the date being the same, in accordance with the size of their electoral vote. Where there are still [illegible], they rank in accordance with seniority of age.[5]

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[1] Arrêté No. [illegible] as amended by Arrêté No. [illegible]

[2] Arrêté No. [illegible]

[3] Ibid., Art. [illegible]

[4] Arrêté No. [illegible], loc. cit., Art. [illegible]

[5] Ibid., Art. [illegible]

[illegible] The meetings of the council are private. The administrator, [illegible] and French counsellor are ex officio members.[1] A quorum consists of one half the membership. If upon a second convocation a quorum is still lacking, the deliberations are valid regardless of the number in attendance. If the lack of a quorum at the first meeting is due to the non-participation of members personally interested or interested as agents in the matter under consideration, the deliberations may proceed.[2] Councillors absent from three successive meetings without satisfactory reason may be dismissed by the administrator after he has called upon them for an explanation. They may appeal within ten days to the administrative courts.[3] Resignations are addressed to the administrator or the [illegible] and are effective upon acknowledgment thereof. Failing acknowledgment, a new resignation may be despatched by registered mail and becomes automatically effective one month from the date of mailing.[4]

Decisions of the council are determined by majority vote. In case of a tie the mayor has the determining voice, except in secret balloting. A roll call is mandatory upon the request of at least [illegible], the names and votes to be recorded in the minutes. All votes on nominations or appointments must be by secret ballot. If no candidate secures a majority on the second ballot, the third ballot determines by plurality and in case of a tie the oldest candidate prevails.[5]

The mayor presides at council meetings and he alone has disciplinary authority and may expel [illegible] members.[6] In his absence the assistant mayor or oldest member presides. If the mayor has resigned or been suspended or dismissed, he is replaced by a temporary substitute appointed by executive decree.[7] At the session devoted to the consideration of the budget, the oldest member presides, except in those cases where the Administrator prepares the budget, when the mayor himself presides. Whoever prepares the budget may participate in the discussion but must retire before the vote thereon. The minutes of this session are transmitted directly to the Ministry of the Interior.[8]

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[1] Ibid., Art. [illegible]

[2] Ibid., Art. [illegible]

[3] Ibid., Art. [illegible]

[4] Arrêté No. [illegible] op. cit., Art. [illegible]

[5] Ibid., Art. [illegible]

[6] Ibid., Art. [illegible]

[7] Ibid., Art. [illegible]

[8] Arrêté No. [illegible] op. cit., Art. [illegible]

One or more secretaries are elected by the council.[1] They are responsible for the minutes but do not participate in the deliberations. Provision has been made for the eventual merging of the offices of secretary and municipal treasurer. In small municipalities the functions of secretary are frequently entrusted to the local schoolmaster. The minutes must be kept in both Arabic and French,[2] whenever possible, and an abstract of the minutes must be posted at the municipal building within eight days of the council meetings.[3] Copies of the abstract must be transmitted to the administrator and the [illegible]. Inspection of the minutes is open to all inhabitants or taxpayers, together with the right to copy them in whole or in part, including the budgets and accounts.[4]

Powers of Council

The council passes on all the affairs of the municipality and acts in an advisory capacity to the central authorities upon their request or when required by law. It may likewise record its opinion on any matter of local interest. It inspects the budget and accounts of the mayor and municipal treasurer. By authorization of the Minister of the Interior it may communicate with other municipalities on matters of common interest.[5]

Decisions of the council may be divided into three categories — (a) those having executory character without specific approval of the central authorities, (b) those having executory character only after approval from the central authorities, and (c) those of a purely advisory nature. Decisions in the first category are executory thirty days after receipt by the administrator. However, during this time they may be vetoed by the administrator for violation of the law. Likewise, the administrator may suspend execution for a further period of fifteen days. In cases of urgency, the administrator may order immediate execution which gives the decision executory character upon the expiration of the fifteen-day delay required for the presentation of protests and appeals. The following subjects[6] fall within this category —

1. Methods of administration of communal properties.
2. Conditions of contracts for lease or rent, for a period not exceeding nine years for other properties.

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[1] Ibid., Art. 46.

[2] Ibid., Art. 48. [illegible]

[3] Ibid., Art. 46.

[4] Ibid., Art. 47.

[5] [illegible]

[6] Ibid., Art. [illegible]

3. The acquisition of immovable property when the total cost, including all other acquisitions voted in the same financial year, does not exceed one tenth of the ordinary revenues.

4. Projects for major expenditures or maintenance when the total expense of all such expenditures for the fiscal year does not exceed the [illegible] of the ordinary revenues, nor, in any case, exceed the sum of two thousand five hundred pounds Syrian.

5. The maintenance of public buildings.

6. The appropriation to municipal use of municipal property which has not been used for such purposes.

7. The acceptance of gifts and legacies received without charge, condition, or changeable designation, provided the gift or legacy is not subject to reclamation by the families. The mayor, by right of conservation, may accept such gifts or legacies before the deliberation of the council whose decision shall have retroactive force as from the date of original acceptance.[1]

Within the second category, requiring the approval of the Ministry of the Interior before execution, fall the larger part of municipal council functions. Among the more important of these are the following:—[2]

a. The municipal budget.

b. Municipal taxes.

c. The tariffs and regulations for the collection of all municipal revenues.

d. Special taxes and loans, for the latter the further approval of the High Commissioner being required.

e. Conditions of lease or rental of municipal property for periods exceeding [illegible] years in the case of town property and nine years in the case of all other property.

f. The alienation or exchange of municipal property.

g. The acquisition of immovable property, new construction or reconstruction in whole or in part or plans for major reparations and maintenance exceeding the fixed limits [illegible] etc.

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[1] [illegible]
[2] [illegible]

8. Change in use of public property already utilized in the public service.

9. Any change in the conditions or status of public roads, highways, gardens, market-places, cleaning and race courses, etc.

10. Acceptance or refusal of gifts or legacies bearing any charge or conditions or with power of reclamation.

11. Establishment, change or suppression of markets other than simple provision markets.

12. Price-fixing for certain necessities as bread, flour, meat, butter, milk, oil, vegetables, fish, wood, charcoal, and ice.[1]

At any time the central authorities may call upon the council for an advisory opinion and the law specifically calls for such action with regard to the following subjects: —

1. Projects of alignment and leveling of the grand highways falling within the boundaries of a municipality.

2. Creation of charitable bureaus and their regulation.

3. Budgets and accounts of municipal charitable establishments created by private donations; authorization for purchase, alienation, transfer, borrowing, exchange or pleading demanded by such organizations and the acceptance of legacies or gifts to the same.

If the council fails to give its opinion after having been formally requested thereto, action may proceed without it.[2]

Besides voting the budget, the council passes on the accounts of the municipality. Detailed regulations for municipal accounting and its supervision are provided by the Ministries of Interior and Finance.[3]

A municipal council is forbidden to make any proclamation or to express its views on the political, religious or administrative questions. Any act or deliberation in violation of this prohibition is

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[1] [illegible]

[2] [illegible]

[3] [illegible]

[illegible] automatically null and void without necessity of pronouncement and without prejudice to any sanctions which may be determined by the government.[illegible] Such cases have resulted in the dissolution of an entire council or the dismissal of individual members.[illegible]

Automatically null and void are any deliberations of the council upon any subject foreign to its powers or taken outside of a regularly convoked meeting of the council. Likewise, any deliberations in violation of the laws and regulations are null and void. Nullification for these reasons is susceptible of appeal to the administrative courts.[illegible]

Status of Mayors

Each municipality is headed by a president of the council or mayor appointed by the President of the Republic for a period of one year from among the members of the municipal council. In municipalities having at least eight councillors the mayor is assisted by a vice-president or assistant mayor (two in municipalities of over [illegible] inhabitants) who is appointed in the same manner and for the same period as the president. Both officers are eligible for reappointment.[illegible] In municipalities of [illegible] and above, the Administrator or the [illegible] is charged with the functions of the mayor.[illegible]

In the absence of the mayor he is replaced by the vice-president or, where there is none, by the oldest member of the council. If the mayor resigns or is suspended or dismissed, he is replaced by a temporary [illegible] appointed by the national government.[illegible] After being given an opportunity for written reply to the charges against him, the mayor may be suspended or removed by decree of the President. The decree must be motivated but there is no recourse. Suspensive power is in the hands of the President alone except in cases where the municipal officer has been indicted for crimes when the administrator may suspend, subject to immediate reference to the central authorities.[illegible] In case of refusal or failure of the mayor to carry out any of the prescribed functions, the administrator may act or appoint a special delegate to carry out the prescribed duties.[illegible]

[illegible]

Resignation of the mayor or assistant mayors is made directly to the President and becomes effective upon acceptance thereby, or, in default thereof, one month after the dispatch of a new resignation by registered mail. The incumbents must carry on their functions until their successors have been appointed.[1]

The mayor, assistant mayors, and municipal councillors serve without pay but are entitled to any actual expenses incurred in carrying out a special mission. In municipalities of 5,000 inhabitants and above, the mayor may be voted a representation allowance from the ordinary resources of the municipality.[2]

Powers of Mayor

If the mayor deems it necessary for the welfare of the service to delegate some of his functions to members of the council, he can only do so with the approval of the assistant mayors and of the Minister of the Interior. However, in no case may the administrator or [illegible] delegate any of his functions when serving as municipal executive.[3] No government functionary belonging to the services of finance, forests, post and telegraph, or control of public establishments may serve as either mayor or assistant mayor. Likewise, no one employed by the mayor may be appointed as assistant mayor.[4] If the personal interests of the mayor or acting mayor should prove to be in conflict with the general welfare, the President designates some other member of the council to act for the municipality in justice or in contract.[5]

The mayor appoints, with powers of suspension and removal, all municipal employees for whom the laws or regulations have not fixed a special mode of appointment.[6] All such appointments must, however, receive the approval of the administration, with the exception of labor employed by the day.[7]

When awarding contracts on behalf of the municipality, the mayor is assisted by two councillors chosen by the council, or, in default, chosen from the official list in order of ranking. The municipal treasurer is included in all meetings for this purpose and is

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[1] [illegible]

[2] Ibid., Art. [illegible]. Under the French regime the mayor received a salary to be [illegible] by the municipal budget. [illegible]

[3] Ibid., Art. [illegible]. In contrast to the unlimited powers of delegation of the mayors of French communes.

[4] Ibid., Art. [illegible].

[5] Ibid., Art. [illegible].

[6] Ibid., Art. [illegible].

[7] Ibid., Art. [illegible].

433 cases of contracts for public works, the Director of Public Works is likewise included. Decision is taken by majority vote of the mayor and two assistants, the other members acting only in an advisory capacity but with the right to demand the inclusion of their advice in the written minute of the contract.[1]

Subject to the control of the council and the central authorities already outlined, the mayor is charged with a large variety of functions. As in France, he acts in the dual capacity of head of the municipal government and agent of the central government. The more important of his duties under the first category are the following:—[2]

1. The conservation and administration of municipal properties.
2. Administration of revenues and supervision of accounts.
3. Preparation of the budget.
4. Direction of public works.
5. Supervision of municipal highways.
6. Signing of contracts and leases for the municipality and adjudications concerning public works.
7. Signing of all acts of sale, exchange, apportionment, acceptance of gifts and legacies or other acquisitions, etc.
8. Regulation of burial procedure.
9. Execution of all decisions of municipal council.

As an agent of the central government and under the supervision of the Ministry of the Interior, the mayor is charged with the publication and execution of the laws and regulations, with all measures for general security not entrusted by the laws to the police services, and with the execution of any special functions provided by law or regulations.[3]

The mayor may issue *arrêtés* giving effect to local measures concerning the objects entrusted to his vigilance and authority and *arrêtés* publishing new laws and police regulations and calling the citizens to their observance.[4] In his character as agent of the central police service, the mayor issues orders having the character of police regulations. The most important of these concern the following :—[1]

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[1] Arrêté, No. 1208, Art. 46.

[2] Ibid., Art. 67.

[3] Ibid., Arts. 68, 69, 70.

[4] Ibid., Art. 70.

1. Regulation of everything which may affect free and undisturbed passage in the public streets, as destruction of dangerous structures, danger from falling articles, obstruction of passage, etc.

2. Maintenance of public order through avoidance of quarrelling, rioting, troublesome assemblages, nocturnal disturbances.

3. Maintenance of order on all occasions of public assemblage.

4. Procedure for funeral rites as affecting public order.

5. Inspection of weights and measures, and honesty of such transactions.

6. Precautionary and relief measures at times of public catastrophy as fires, floods, epidemics, and accidents of all sorts.

7. Provisional disposal of insane persons who may threaten public safety or morals.

8. Precautions against and relief for depredations by straying or wild animals.

Arrêtés issued by a mayor must be despatched immediately to the administrator who forwards them to the Minister of the Interior with his comments thereon. If they contain permanent regulations, they are not definitive until approved by the Minister. All other arrêtés are executory one fortnight after their despatch to the administrator. The Minister may annul or may suspend execution; in cases of urgency he may authorize immediate execution.[2]

Such arrêtés are not binding until they have been brought to the attention of the parties concerned, either through ordinary publication as in the case of general ordinance or by individual notification in other cases.[3]

Every municipality not enjoying the services of the State Police may have one or more municipal guards. They are nominated by the mayor for approval and commission by the administrator whose

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Arrêté No. 1208, loc. cit., Art. 71.

[2] Ibid., Art. 72.

[3] Ibid., Art. 73.

decisions must be rendered within one month. They may be suspended by the mayor for a period of one month, but may be dismissed only by the administrator. They are responsible for the enforcement of municipal regulations and police orders through reports to the mayor, but have no authority to make arrests. Failure to comply with municipal regulations may result in judicial process with final enforcement by the regular police.[1]

Aspects of Legal Personality

A municipality may be declared legally responsible by decree of the President on advice of the Administrative Courts for damages resulting from crimes or misconduct committed by violence upon its territory through riots, or armed bands, whether against persons or public or private property. The damages shall be distributed over all the domiciled inhabitants of the responsible municipality by a list specially prepared by the Director of Finances.[2] If rioting is caused by the inhabitants of more than one village or municipality the damages shall be distributed over all those responsible therefor in proportions to be determined by the Minister of Finances.[3] These provisions are not applicable when the municipality can prove that all measures within its power had been taken to prevent the incident; when the mayor does not have the control of the local police; or when the damages are the result of acts of war.[4] The responsible municipality has full recourse against the authors and accomplices of the disorder.[5]

The sale of movable or immovable municipal property may be authorized on demand of any creditor bearing executory title by order of the Minister of the Interior who also determines the form of sale.[6] The Council sits on all legal actions initiated or sustained by the municipality. The mayor may, prior to such action, take steps to conserve or prevent forfeiture.[7] No municipality may undertake action in justice without authorization of the Administrator. It must first prove a good right and sufficient interest. The Administrator must render his decision within two months, failing which the municipality may proceed.[8]

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[1] Arrêté No. [illegible], loc. cit., Art. [illegible].
[2] Ibid., Art. [illegible].
[3] Ibid., Art. [illegible].
[4] Ibid., Art. [illegible].
[5] Ibid., Art. [illegible].
[6] Ibid., Art. [illegible].
[7] Ibid., Art. [illegible].
[8] Ibid., Art. [illegible].

No judicial action other than possessory may be instituted against a municipality except when the claimant has previously presented a properly motivated memorial to the Administrator. Judicial action may not be initiated until one month after the date of receipt of such a memorial without prejudice to acts of conservation. The presentation of the petition interrupts any prescription or forfeiture if it is followed by a demand in justice within three months. The administrator immediately transmits such petitions to the mayor with a request that the council be convoked for deliberation thereon.[1] [illegible]

Budgetary Provisions

Municipal expenditures are obligatory or optional. The former may be written into the budget by the administrator and consist of the following :—[2]

1. Maintenance of a municipal building or rooms used for that purpose.
2. Payment of demandable debts.
3. Expenses of municipal administration, salaries of secretary, treasurer, and other employees.
4. Expenses of maintaining, cleaning, and lighting the streets.
5. Expenses of establishing and maintenance of plans for aligning and leveling the streets.
6. Cost of subscription to and proper care of the Official Journals of the Republic.
7. Portion of expenses of State Police allocated to municipality in the State budget.
8. Rent, cost of furnishing, lighting, and heating of posts of gendarmerie.
9. Any expenses incurred through necessity for the administrator to act owing to failure of local authorities to perform their functions and in general any expenses charged to municipalities by the dispositions of any law or regulation.

All other expenditures are optional. The detailed regulation of municipal accounts, budgets, and contracts is provided by special arrêtés of the central government.[3]

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[1] Arrêté No. [illegible], loc. cit., Art. [illegible].
[2] Ibid., Arts. [illegible].
[3] Ibid., Art. [illegible].

Appendix 5.

LIST OF MUNICIPAL COUNCILS DISSOLVED

No.	Date		Name	Cause cited
Arr. [illegible]	Jul. [illegible]	[illegible]	[illegible]	None cited
" [illegible]	Aug. [illegible]	"	[illegible]	"
			[illegible]	"
			[illegible]	"
			[illegible]	"
			[illegible]	"
			[illegible]	"
			[illegible]	"
			[illegible]	"
" [illegible]	Sept. [illegible]	"	[illegible]	"
" [illegible]	" "	"	[illegible]	"
" [illegible]	Dec. [illegible]	"	[illegible]	"
" [illegible]	Jan. [illegible]	[illegible]	[illegible]	"
" [illegible]	Mar. [illegible]	"	[illegible]	"
" [illegible]	Jul. [illegible]	"	[illegible]	Resignation
" [illegible]	Aug. [illegible]	"	[illegible]	None cited
Dec. [illegible]	Sept. [illegible]	"	[illegible]	"
Arr. [illegible]	" [illegible]	"	[illegible]	Resignation
" [illegible]	Oct. [illegible]	"	[illegible]	None cited
Dec. [illegible]	" [illegible]	"	[illegible]	"
Arr. [illegible]	" [illegible]	"	[illegible]	"
Dec. [illegible]	Nov. [illegible]	"	[illegible]	"
			[illegible]	"
Arr. [illegible]	Mar. [illegible]	[illegible]	[illegible]	"
" [illegible]	May [illegible]	"	[illegible] (North Leb.)	Abuse of confidence
" [illegible]	" [illegible]	"	[illegible]	"
" [illegible]	" [illegible]	"	[illegible]	"
" [illegible]	July [illegible]	"	[illegible]	"
" [illegible]	" [illegible]	"	[illegible]	New regime set up
" [illegible]	Sept. [illegible]	"	[illegible]	None cited
" [illegible]	" "	"	[illegible]	"
" [illegible]	Nov. [illegible]	"	[illegible] (South Leb.)	"
" [illegible]	Jan. [illegible]	[illegible]	[illegible]	Council protested re Lebanese boundaries.
" [illegible]	Apr. [illegible]	"	[illegible]	Judicial action vs two members.
Dec. [illegible]	June [illegible]	"	Tyre	Lack of quorum.
" [illegible]	July [illegible]	"	Jezzine	None cited
" [illegible]	Sept. [illegible]	"	[illegible]	Internal dissension & abuse of confidence.

[illegible] — [illegible] —

[illegible]	[illegible]		[illegible]	[illegible]
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[illegible]	[illegible]		[illegible]	

Appendix [illegible]

LIST OF MUNICIPALITIES SUPPRESSED

[illegible]

Appendix [illegible].

TABLE SHOWING RANGE OF MUNICIPAL BUDGETS

[illegible]

	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
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[illegible]	[illegible]
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[illegible]	[illegible]
[illegible]	[illegible]

DISTRIBUTION OF MUNICIPALITIES BY BUDGET TOTALS

No. of Cities		[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible] — [illegible]
[illegible]	"	[illegible] — [illegible]
[illegible]	"	[illegible] — [illegible]
[illegible]	"	[illegible] — [illegible]
[illegible]	"	[illegible] — [illegible]
[illegible]	"	[illegible] — [illegible]
[illegible]	"	[illegible] — [illegible]
[illegible]	"	[illegible] — [illegible]

[illegible]

THE MUNICIPAL GOVERNMENT OF THE LEBANON

Appendix [illegible]*

The foregoing article had already finally passed for printing when Arrêté [illegible] of March [illegible], on which the municipal administration of the Lebanon is largely based, was amended on a number of points by Legislative Decree [illegible], of September [illegible], — a decree promulgated by the President of the Republic on the proposal of the Director of the Interior in virtue of the Emergency powers conferred on them by the decree of the High Commissioner of May [illegible], which suspended sine die the existing Lebanese constitution. The amendments, however, only extend to details, of which the following are specifically dealt with in the article:

Incorporation.—The minimum budget to be possessed by any town wishing for incorporation was raised to [illegible] L.L. (instead of [illegible]). All municipalities already incorporated whose budget is below this sum may be dissolved by Governmental decree. (Decree article [illegible] modifying *Arrêté* article [illegible]).

Powers of Council.—In addition to the general powers of decision and advice mentioned in the first paragraph of this section, Municipal Councils may [illegible] directly or [illegible] to certain functions in accordance with existing laws and regulations. (Decree article [illegible] modifying *Arrêté* article [illegible]).

Decisions of the Council which are executory without further approval become effective within [illegible] days (instead of [illegible]), and may only be suspended by the administration for [illegible] days (instead of [illegible]). (Decree article [illegible] modifying *Arrêté* article [illegible]).

The nullity of ultra vires decisions is pronounced by the Director of the Interior, either on his own initiative or on the motion of any party interested. From this decision there is no appeal, but the reasons for the decision must be given in full. (Decree article [illegible] modifying *Arrêté* article [illegible]).

Powers of Mayors.—The arrêtés of mayors become executory within [illegible] days (instead of [illegible]) after dispatch to the administration. The Director of the Interior may annul or suspend them, but the decision must be given within [illegible] days. (Decree article [illegible] modifying *Arrêté* article [illegible]).

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*Owing to Professor [illegible]'s absence on leave in America, he was not able to [illegible] the proof of this study and [illegible] any changes in the law [illegible] as described in this appendix. Professor [illegible] of the Department of History, kindly supplied this appendix to bring the study up to date.